


ANDREW C. FREEMAN, )  
)  
Plaintiff, )  
)  
v. ) Case No. 1:05CV003 RWS  
)  
JO ANNE B. BARNHART, )  
Commissioner of Social Security, )  
)  
Defendant. )

This matter is before the Court on Andrew Freeman's appeal from an adverse ruling of the Social Security Administration. Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge David C. Noce who filed his Report and Recommendation on January 26, 2005. It is the Magistrate Judge's recommendation that the decision of the Social Security Commission be reversed under Sentence 4 of 42 U.S.C. § 405(g) and the action be remanded to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendations.

After careful consideration of the Report and Recommendation,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge [#9] is **SUSTAINED, ADOPTED AND INCORPORATED** herein.

**IT IS FURTHER ORDERED** that the decision of the Commissioner is **REVERSED** under Sentence 4 of 42 U.S.C. § 405(g) and the action is **REMANDED** to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendations.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 14th day of February, 2006.